

104TH CONGRESS  
1ST SESSION

# H. R. 2063

To disapprove sentencing guideline amendments relating to cocaine base.

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IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1995

Mr. EMERSON introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To disapprove sentencing guideline amendments relating to  
cocaine base.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sentencing Amend-  
5 ment Disapproval Act of 1995”.

6 **SEC. 2. DISAPPROVAL OF AMENDMENTS RELATING TO**  
7 **EQUALIZATION OF CRACK AND COCAINE**  
8 **POWDER QUANTITIES.**

9 In accordance with section 994(p) of title 28, United  
10 States Code, Amendment number 5 of the “Amendments  
11 to the Sentencing Guidelines, Policy Statements, and Offi-

1 cial Commentary,” submitted by the United States Sen-  
2 tencing Commission to Congress on May 1, 1995, is here-  
3 by disapproved and shall not take effect to the extent it—

4 (1) amends §2D1.1(c)(1) through (14) of the  
5 sentencing guidelines;

6 (2) inserts the following sentence in §2D1.1(c)  
7 of the sentencing guidelines: “‘Cocaine’, for the pur-  
8 poses of this guideline, includes cocaine hydro-  
9 chloride, cocaine base, and crack cocaine.”;

10 (3) deletes “1 gm of Cocaine Base (‘Crack’) =  
11 20 kg of marihuana” from the Commentary to  
12 §2D1.1 of the sentencing guidelines captioned “Ap-  
13 plication Notes” in Note 10 in the subdivision cap-  
14 tioned “Cocaine and Other Schedule I and II Stimu-  
15 lants”; and

16 (4) provides reasons for the amendment, except  
17 the reasons set forth in the seventh paragraph of the  
18 discussion entitled “Reasons for Amendment”.

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